

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ROBERT MILTON, : 19CV02770 (VEC)(OTW)

Plaintiff, : **PROPOSED ORDER**

-against- : -----X

CORRECTION OFFICER REHMAN, :
ET AL., : -----X

Defendants.

Whereas, plaintiff Robert Milton (DIN # 14A4359) filed a complaint in the instant action on or about March 7, 2019, alleging that on or about February 17, 2017, while being transported from the Metropolitan Correction Center to Sing Sing Correctional Facility (“Sing Sing”) he was physically assaulted by an unidentified Corrections Officer.

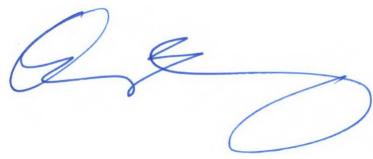
Whereas, plaintiff has advised the Court that based upon discovery exchanged between the parties, he now believes that the unidentified Corrections Officer who allegedly attacked him was either Tyrone Cunningham, Leon Lowe, or Laughton Brown, but that plaintiff needs to see a picture of each officer to establish which of the three committed the alleged assault.

It is hereby ordered that the New York State Department of Corrections and Community Supervision (“DOCCS”) shall within thirty days from the date of this Order, and to the extent it has photographs of Corrections Officers Tyrone Cunningham, Leon Lowe, and Laughton Brown, make arrangements to show a photograph of each Corrections Officer to the plaintiff for the purpose of identifying the Corrections Officer who allegedly assaulted him on February 17, 2017.

It is hereby further ordered that within forty-five days of plaintiff being shown a photograph of Corrections Officers Tyrone Cunningham, Leon Lowe, and Laughton Brown, he shall file a second amended complaint naming one of these officers as the unidentified Corrections

Officer he alleges assaulted him on February 17, 2017.

Dated: New York, New York
January 13, 2020



Ona T. Wang
United States Magistrate Judge